

**SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
MARCH 13, 2003**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Hazardous Waste Enforcement**

- 1)     Order Type and Number:                      Consent Order #02-27-HW  
       Order Date:                                      December 17, 2002  
       Responsible Party:                            **Trident Construction**  
       Location/Mailing Address:                2245 Technical Parkway  
   N. Charleston, SC 29406  
  
       County:    Charleston  
       Previous Order(s):                                None  
       Permit Number:                                SCR 000 763 136  
       Violations Cited:                                Hazardous Waste Management  
   Regulations, 25 S.C. Code Ann. Regs. 61-79.262.90, R.61-79.265.171,  
   R.61-79.265.173(a), and R.61-79.265.173(b)

Summary:    Trident Construction Company, Inc. (Respondent) has violated the Hazardous Waste Management Regulations as follows: failure to clean up a hazardous waste discharge; failure to transfer hazardous waste from a container not in good condition to a container that was in good condition; failure to close all containers holding hazardous waste except when necessary to add or remove waste; and failure to handle containers holding hazardous waste in a manner that would not cause them to leak.

Action:    The Respondent agreed to: now and in the future, manage containers of hazardous waste in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; clean up any discharge of hazardous waste that occurs at the facility; and pay to the Department a civil penalty in the amount of four thousand, three hundred fifty dollars **(\$4,350.00)**. The civil penalty will be paid in one payment.

**Solid Waste Enforcement**

- 1)     Order Type and No:                            Administrative Order #02-38-SW  
       Order Date:                                      December 18, 2002  
       Responsible Party:                            **Jackson E. Greene, Jr.**  
       Location/Mailing Address:                10049 Old White Horse Road,  
   Greenville County, SC/255 Loftis  
   Road, Travelers Rest, SC 29690-  
   8777  
  
       County:    Greenville  
       Previous Order(s):                                N/A

Permit Number: N/A  
Violation(s) Cited: Construction, Demolition and Land Clearing Debris, 25A S.C. Code Ann. Regs. 61-107.11, Part IV, (A)(8) (Supp.2001); Municipal Solid Waste Landfills, 25A S.C. Code Ann. Reg. 61-107.258, Subpart A, 258.1.g. (Supp.2001); Waste Tires, 25A S.C. Code Ann. Reg. 61-107.3, Section E.3. (Supp.2001); Pollution Control Act, S.C. Code Ann. § 48-1-90 (1987).

Summary: Jackson Greene unlawfully disposed of construction and demolition (C&D) debris, municipal solid waste (MSW), and waste tires on property he owns on 10049 Old White Horse Road in Greenville County, South Carolina.

Action: The Administrative Order, which was not appealed, requires the Respondent to remove and properly dispose of all wastes and debris on the Site, forward copies of all signed disposal receipts and/or invoices to the Department upon completion of removal and proper disposal, perform any needed site remediation to minimize erosion and control water run-on/runoff, and pay to the Department a civil penalty in the amount of four thousand, six hundred dollars **(\$4,600.00)** for the violations cited. The completion of removal and proper disposal of the wastes and payment of the civil penalty are due by February 3, 2003.

2) Order Type and No.: Consent Order #03-01-SW  
Order Date: January 16, 2003  
Responsible Party: **Ladson Wood Recycling**  
Location/Mailing Address: 205 St. James Avenue #345  
Goose Creek, SC 29445  
County: Charleston  
Previous Order(s): None  
Permit Number: 102681-3001  
Violation(s) Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), the Yard Trash and Land Clearing Debris; Compost Regulation, 25A S.C. Code Ann. Reg. 61-107.4.E.3.c., Reg. 61-107.4.E.3.l., Reg. 61-107.F.3., Reg. 61-107.4.F.11.c. (Supp. 2001), and Composting Registration # 102681-3001.

Summary: Ladson Wood Recycling (Ladson) is a composting site that failed to operate in accordance with approved plans concerning the size and number of windrows and to provide the required fire lanes/buffers. Ladson also failed to properly dispose of solid waste other than yard trash or land clearing debris at the site within seven days of its receipt. This constitutes a violation of the Yard Trash and Land-Clearing Debris and Compost Regulation.

Action: Consent Order 03-01-SW was executed requiring Ladson to submit a detailed plan to the Department for review and approval that addresses the remediation/correction violations, as outlined in the Order, within thirty (30) days from the receipt of a copy of the executed Consent Order. The Department has **stipulated** a civil penalty in the amount of twelve thousand dollars (\$12,000.00) to be paid by Ladson should it fail to submit an approvable plan to the Department, implement the plan as directed by the Department, or complete the plan as Ordered.

- 3) Order Type and No: Administrative Order #03-02-SW  
Order Date: January 24, 2003  
Responsible Party: **John William Bryant**  
Location/Mailing Address: 1828 Doctor Boyleston Road  
Salley, SC 29137  
County: Orangeburg  
Previous Order(s): N/A  
Permit Number: N/A  
Violation(s) Cited: Construction, Demolition and Land-Clearing  
Debris, 25A S.C. Code Ann. Regs. 61-107.11, Part IV, (A)(8)  
(Supp.2001); Pollution Control Act, S.C. Code Ann. § 48-1-90  
(1987).

Summary: John William Bryant (Respondent) unlawfully disposed of construction and demolition (C&D) debris on property he owns at 1828 Doctor Boyleston Road in Orangeburg County, South Carolina.

Action: The Administrative Order, which was not appealed, requires the Respondent to remove and properly dispose of all wastes and debris on the Site, forward copies of all signed disposal receipts and/or invoices to the Department upon completion of removal and proper disposal, perform any needed site remediation to minimize erosion and control water run-on/runoff, and pay to the Department a civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**) for the violations cited. The completion of removal and proper disposal of the wastes is due on April 14, 2003 and payment of the civil penalty is due by March 15, 2003.

### **Underground Storage Tank Enforcement**

- 1) Order Type and Number: Consent Order 02-3380-UST  
Order Date: January 2, 2003  
Owner/Operator: **Amerada Hess Corporation**  
Facility Name: Hess Station 40240  
Facility Address: 3117 Beltline Blvd., Columbia  
County: Richland  
UST Permit Number: 07622  
Previous UST Orders: CO 02-2956-UST (\$500)

Violations Cited: UST Control Regulations, R.61-92, §280.52,  
R.61-92, §280.34(c).

Summary: A compliance inspection revealed the owner/operator had failed to investigate unusual operating conditions and supply records that may have indicated a release had occurred.

Action: The owner/operator agreed to correct the violation within 30 days and paid a civil penalty of six hundred dollars (**\$600.00**).

2) Order Type and Number: Consent Order 02-3172-UST  
Order Date: January 16, 2003  
Owner/Operator: **Ramseur Oil Company, Inc.**  
Facility Name: Tiger Paw Amoco  
Facility Address: 1100 Tiger Blvd., Clemson  
County: Pickens  
UST Permit Number: 07186  
Previous UST Orders: None  
Violations Cited: UST Control Regulations, R.61-92,  
§280.20(e), R.61-92, §280.31(a), and R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/operator had failed to properly anchor shear valves, maintain corrosion protection equipment continuously, and supply records to the Department upon request.

Action: The owner/operator agreed to correct the violations within 30 days and paid a civil penalty of four hundred and fifty dollars (**\$450.00**).

3) Order Type and Number: Consent Order 02-3388-UST  
Order Date: January 16, 2003  
Owner/Operator: **Miller Oil Company, Inc.**  
Facility Name: Stop & Shop Food Mart 8  
Facility Address: 210 Donaldson Rd., Greenville  
County: Greenville  
UST Permit Number: 11391  
Previous UST Orders: 97-0435-UST (\$500.00)  
Violations Cited: UST Control Regulations, R.61-92,  
§280.93(b), R.61-92, §280.110(c).

Summary: A compliance inspection revealed that the owner/operator had failed to demonstrate financial responsibility and supply records to the Department upon request.

Action: The owner/operator agreed to properly abandon the tanks and supply the appropriate records to the Department. If the compliance information is received

as agreed, the Department will **suspend** the civil penalty of six hundred dollars (\$600.00).

- 4)    Order Type and Number:    Consent Order 02-3587-UST  
      Order Date:                    January 16, 2003  
      Owner/Operator:            **Stockman Oil Two, Inc.**  
      Facility Name:                Mr. Chips 3  
      Facility Address:            1048 S. Main St., Greenwood  
      County:                         Greenwood  
      UST Permit Number:        04734  
      Previous UST Orders:        None  
      Violations Cited:            UST Control Regulations, R.61-92,  
   §280.40(a), R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/ operator had failed to provide an adequate release detection method and supply records to the Department upon request.

Action: The owner/operator supplied current testing results and agreed to submit current monthly release detection records to the Department. If the compliance information is received as agreed, the Department will **suspend** the civil penalty of six hundred dollars (\$600.00).

- 5)    Order Type and Number:    Consent Order 02-3624-UST  
      Order Date:                    January 27, 2003  
      Owner/Operator:            **United Oil Marketers of SC, Inc. and  
   Consignment Sales, LLC**  
      Facility Name:                JR Deli & Games  
      Facility Address:            10447 Wilson Blvd., Blythewood  
      County:                         Richland  
      UST Permit Number:        10503  
      Previous UST Orders:        AO 02-1885-UST (\$18,600), CO 01-1065-  
   UST (\$600.00), CO 01-1264-UST  
   (\$100.00), CO 02-2910-UST (\$2,100.00)  
      Violations Cited:            UST Control Regulations, R.61-92, §280.52,  
   R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/operator had failed to investigate and confirm a suspected release and supply records to the Department upon request.

Action: The owner/operator paid a civil penalty of six hundred dollars (**\$600.00**) and submitted the compliance data within 30 days.

- 6)    Order Type and Number:    Consent Order 02-3626-UST  
      Order Date:                    January 30, 2003

<u>Owner/Operator:</u>	<b>JS Enterprises, Inc.</b>
<u>Facility Name:</u>	Lazy Daze Campground
<u>Facility Address:</u>	940 Gold Hill Rd., Fort Mill
<u>County:</u>	York
<u>UST Permit Number:</u>	18119
<u>Previous UST Orders:</u>	None
<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.93(a), R.61-92, §280.110(c).

Summary: A file review revealed that the owner/ operator had failed to demonstrate financial responsibility, and supply records upon request.

Action: The owner/operator paid the six hundred dollar (**\$600.00**) civil penalty and agreed to correct the violations within 30 days.

7)	<u>Order Type and No:</u>	Admin. Order 02-2886-UST
	<u>Order Date:</u>	November 13, 2002
	<u>Owner/Operator:</u>	<b>Johnnie Capers</b>
	<u>Facility Name:</u>	Pringletown Quick Stop
	<u>Facility Address:</u>	1088 Old Gilliard Rd., Ridgeville
	<u>County:</u>	Berkeley
	<u>UST Permit Number:</u>	18369
	<u>Previous UST Orders:</u>	AO 00-0282-UST (\$1,000.00), AO 00-0886-UST (\$1,000).
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.93(a), R.61-92, §280.110(c).

Summary: A compliance inspection and file review revealed the owner/operator had failed to demonstrate financial responsibility and submit records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of four thousand fifty dollars (**\$4,050.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

8)	<u>Order Type and No:</u>	Admin. Order 02-3036-UST
	<u>Order Date:</u>	December 13, 2002
	<u>Owner/Operator:</u>	<b>Joe Kelly</b>
	<u>Facility Name:</u>	Joe Kelly's Trophy Shop
	<u>Facility Address:</u>	Hwy 72, Mountville
	<u>County:</u>	Laurens
	<u>UST Permit Number:</u>	10292
	<u>Previous UST Orders:</u>	None

Violations Cited: UST Control Regulations, R.61-92,  
§280.31(b), R.61-92, §280.93(a), R.61-92, §280.34(c), R.61-92,  
§280.110(c), SUPERB Act 44-2-60(A).

Summary: A compliance inspection and file review revealed the owner/operator had failed to have his corrosion protection system tested every three (3) years, demonstrate financial responsibility, submit records to the Department upon request, and pay annual tank registration fees.

Action: The Department issued an Administrative Order with a civil penalty of three thousand seven hundred twenty-five dollars (**\$3,725.00**) and overdue annual tank registration fees of eight hundred sixty-three dollars (**\$863.00**) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

9) Order Type and No: Admin. Order 02-2182-UST  
Order Date: December 16, 2002  
Owner/Operator: **Frances Lee**  
Facility Name: Danny's Grocery  
Facility Address: Hwy 301 @ Johnson Crossroads, Effingham  
County: Florence  
UST Permit Number: 03470  
Previous UST Orders: None  
Violations Cited: UST Control Regulations, R.61-92, §280.65,  
and SUPERB Act 44-2-60(A).

Summary: A file review revealed that the owner/operator had failed to submit a Tier I assessment report and pay annual registration fees of three thousand one hundred eighty-nine dollars (\$3,189.00).

Action: The Department issued an Administrative Order with a civil penalty of thirteen thousand, eight hundred dollars (**\$13,800.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

10) Order Type and No: Admin. Order 02-2034-UST  
Order Date: December 16, 2002  
Owner/Operator: **Karen D. Morris**  
Facility Name: Party World  
Facility Address: 1307 E Main St., Rock Hill  
County: York  
UST Permit Number: 09347  
Previous UST Orders: 99-0403-UST (\$1,200.00)  
Violations Cited: UST Control Regulations, R.61-92,  
§280.93(a), R.61-92, §280.40(a), R.61-92, §280.34(c).

Summary: A compliance inspection and file review revealed that the owner/operator had failed to demonstrate financial responsibility, provide an adequate release detection method, and provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of four thousand, nine hundred and sixty-five dollars (**\$4,965.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

## **BUREAU OF WATER**

### **Drinking Water Enforcement**

- 1)     Order Type and No.:                     AO 02-240-DW  
       Order Date:                             October 30, 2002  
       Responsible Party:                   **Steve Reese**  
       Facility:                               N/A  
       Location/Mailing Address:           2090 Williston Rd.  
  Aiken, SC 29803  
       County:                                Aiken  
       Previous Order(s):                   None  
       Permit/System Number:             N/A  
       Violation(s) Cited:                 25A S.C. Code Ann. Regs. R.61-71.6  
  (H),(B)(5)(3), (H), Regs. R.61-71.8 (A), Regs. R.61-71.7 (A)(11),  
  Regs. R.61-71.9, Regs. R.61-71.10 (A), 24A S.C. Code Ann. Regs.  
  R.61-44 (D)(1), Regs. R.61-30 (C)(1)(b)

Summary: Mr. Steve Reese (Respondent) is involved in the business of well drilling in South Carolina. This Order resulted from the installation of eight (8) domestic water wells by the Respondent. The problems with these wells included improper grouting, no permanent identification tags, improper development, improper abandonment of a well, failure to submit water well records and Notice of Intent forms, and failure to pay well permitting fees.

Action: The Respondent has been ordered to: (1) immediately comply with all pertinent State rules and regulations concerning well construction and permitting; (2) within thirty (30) days of the executed Order date, contact the Lower Savannah EQC District office to establish an appointment for Department staff to observe the corrections to the wells; (3) within thirty (30) days of the executed Order date, submit the required permit applications and all required paperwork for the wells; (4) within thirty (30) days of the executed Order date, submit the required one hundred and forty dollars (\$140.00) permit fee for two (2) wells; and, (5) within thirty (30) days of the executed Order date, pay a civil penalty of thirty two thousand dollars (**\$32,000.00**).



2)	<u>Order Type and No.:</u>	CO-02-265-DW
	<u>Order Date:</u>	December 19, 2002
	<u>Responsible Party:</u>	<b>Barry Smith</b>
	<u>Facility:</u>	Red Oak Mobile Home Park
	<u>Location/Mailing Address:</u>	1911 Augusta Road West Columbia, SC 29160
	<u>County:</u>	Lexington
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	N/A
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 44-55-40(d) S.C. Code Ann. Regs. 61-58.5(J)

Summary: Mr. Barry Smith (Respondent) is responsible for the proper operation and maintenance of the public water system (PWS) that serves the residents of Red Oak Mobile Home Park. A review of the Respondent's file revealed that the PWS exceeded the maximum contaminant level (MCL) for Radium 226/228.

Action: The Respondent has agreed to: (1) immediately comply with all pertinent State and Federal laws and regulations concerning the operation of a PWS; (2) within one hundred eighty (180) days of the executed Order date, provide documentation that a contract to connect to an approved PWS has been secured; (3) upon completion of construction for the connection, notify the Central Midlands EQC office and request an inspection; and, (4) within five (5) days of the connection, submit in writing the intended use for the existing well.

3)	<u>Order Type and No.:</u>	CO-02-269-DW
	<u>Order Date:</u>	December 19, 2002
	<u>Responsible Party:</u>	<b>Sloan Construction Company</b>
	<u>Facility:</u>	Blacksburg Asphalt Plant
	<u>Location/Mailing Address:</u>	PO Box 765 Duncan, SC 29334
	<u>County:</u>	Cherokee
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	N/A
	<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-58.1(K)(1)

Summary: Sloan Construction Company (Respondent) is responsible for the proper operation and maintenance of a PWS that supplies water for use by employees at the referenced plant. An inspection revealed that the Respondent failed to obtain approval prior to placing the PWS into operation.

Action: The Respondent has agreed to: (1) comply with all pertinent State laws and regulations concerning the operation of a PWS; and, (2) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand one hundred dollars **(\$2,100.00)**.



6)	<u>Order Type and No.:</u>	CO 03-003-DW
	<u>Order Date:</u>	January 15, 2003
	<u>Responsible Party:</u>	<b>Barry Gordon d/b/a Pine Harbour Investment</b>
	<u>Facility:</u>	Pinebrook Pointe Apts.
	<u>Location/Mailing Address:</u>	5000 Harbour Lake Drive Goose Creek, SC 29445
	<u>County:</u>	Berkeley
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	08-021-1B
	<u>Violation(s) Cited:</u>	S.C. Code § 44-55-2340 (2002) 24A S.C. Code Ann. Regs. 61-51(B)

Summary: Mr. Barry Gordon (Respondent) is responsible for the public swimming pool located at Pinebrook Pointe Apartments. Records reveal that the Respondent failed to obtain an approved Change Order to make renovations and upgrades to the pool.

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool in accordance with the State Public Swimming Pools regulations; and, (2) pay a civil penalty of one hundred sixty dollars **(\$160.00)**.

7)	<u>Order Type and No.:</u>	CO 03-004-DW
	<u>Order Date:</u>	January 15, 2003
	<u>Responsible Party:</u>	<b>Hammond Hill Villas</b> Homeowners Association
	<u>Facility:</u>	Hammond Hill Villas
	<u>Location/Mailing Address:</u>	36 Pheasant Court North Augusta, SC 29841
	<u>County:</u>	Aiken
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	02-065-B
	<u>Violation(s) Cited:</u>	S.C. Code § 44-55-2340 (2002) 25A S.C. Code Ann. Regs. 61-51(J)

Summary: Hammond Hill Villas Homeowners Association (Respondent) is responsible for the public swimming pool located at Hammond Hill Villas. Records reveal that the Respondent failed to properly operate and maintain the public swimming pool.

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool in accordance with the State Public Swimming Pools regulations; (2) one week prior to reopening the pool for the 2003 season, contact the Lower Savannah EQC District office to inspect the swimming pool; and, (3) pay a civil penalty of two thousand two hundred fifty dollars **(\$2,250.00)**.

8)     Order Type and No.:                               CO 03-008-DW  
       Order Date:                                     January 15, 2003  
       Responsible Party:                           **Mac Tharpe**  
       Facility:                                       Lakeview Drive Public Water  
  System  
       Location/Mailing Address:               115 West Laurel Avenue  
  Greenwood, SC 29649  
       County:                                       Greenwood  
       Previous Order(s):                           None  
       Permit/System Number:                   None  
       Violation(s) Cited:                       24A S.C. Code Ann. Regs. 61-30(G)  
  24A S.C. Code Ann. Regs. 61-58.5; 24A S.C. Code Ann. Regs.  
  61-58.6(E)

Summary: Mac Tharpe (Respondent) operates and maintains a PWS serving the customers of Lakeview Drive Subdivision. Records reveal that the Respondent failed to pay drinking water fees for the 2001, 2002, and 2003 fiscal years and failed to properly monitor the facility for nitrate during the 2001 monitoring period.

Action: The Respondent has agreed to: (1) operate and maintain the PWS in accordance with applicable State and Federal laws and regulations; (2) within thirty (30) days of the executed Order date, issue public notice for failure to monitor the system during the 2001 monitoring period for nitrate; (3) within thirty (30) days of the executed Order date, pay the balance of all outstanding drinking water fees for 2001, 2002, and 2003; and, (3) pay a civil penalty of nine hundred dollars **(\$900.00)**.

9)     Order Type and No.:                               CO 03-005-DW  
       Order Date:                                     January 17, 2003  
       Responsible Party:                           **Maye O. Nussman**  
       Facility:                                       Sandy Run Mobile Home Park  
       Location/Mailing Address:               1125 Sandy Run Circle  
  Summerville, SC 29483  
       County:                                       Berkeley  
       Previous Order(s):                           CO 02-053-DW (\$700.00 penalty)  
       Permit/System Number:                   0860037  
       Violation(s) Cited:                       S.C. Code Ann. Regs. 61-58.12

Summary: Maye Nussman (Respondent) owns and is responsible for the proper operation and maintenance of the PWS that serves the residents of Sandy Run Mobile Home Park. A review of Department records revealed that the Respondent did not prepare, deliver and certify a Consumer Confidence Report (CCR).

10)	<u>Order Type and No.:</u>	CO 03-013-DW
	<u>Order Date:</u>	January 29, 2003
	<u>Responsible Party:</u>	<b>Tony Gentry</b>
	<u>Facility:</u>	None
	<u>Location/Mailing Address:</u>	324 Liberty Drive Anderson, SC 29624
	<u>County:</u>	Anderson
	<u>Previous Order(s):</u>	None
	<u>Permit Number/System:</u>	None
	<u>Violation(s) Cited:</u>	25 S.C. Code Ann. Regs. 61-71.6(B) and (H)(1) (1986)

Action: The Respondent has agreed to: (1) immediately comply with all pertinent State rules and regulations concerning well construction; (2) within thirty (30) days of the executed Order date, contact the Appalachia I EQC District office to collect a bacteriological sample from the well; (3) if the sample indicates bacteriological contamination, within five (5) days of notification from the Department the well shall be abandoned; (4) if the samples indicates no bacteriological contamination, within five (5) days of notification from the Department, construct a cement or aggregate reinforced concrete pad at the ground surface of the well; (5) if bacteriological contamination associated with the construction of the well is detected in the well within a period of one (1) year from the execution date of this Order, within five (5) days of notification from the Department, abandon the well; and, (6) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand one hundred dollars (**\$2,100.00**).

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Summary: Dowd Water Systems, Inc. owns and is responsible for the Isle of Pines PWS that consists of one (1) well, a storage tank, and a distribution system that serves eighteen (18) taps and approximately twelve (12) permanent residents. On January 30, 2003, Department staff found that the storage tank had a crack approximately one (1) inch in length, causing water to leak. To avoid overusing the well pump, Ms. Sue Dowd, the system's owner, turned off the water supply, thereby stopping the flow of water to the customers. The Department determined that an imminent hazard existed that could result in a serious immediate risk to public health due to the lack of a water supply which is necessary for the sewage disposal systems to function properly, and that the issuance of this Emergency Order (EO) was necessary.

Action: The Respondent was ordered to: (1) immediately provide water to the residents of Isle of Pines; (2) immediately issue a written Boil Water Advisory to the residents and submit a copy to the Department; (3) obtain a certified distribution operator to perform or supervise the repair or replacement of the tank; and, (4) contact the Department to perform an inspection to confirm the repair or replacement of the tank.

#### **Water Pollution Enforcement**

1) <u>Order Type and No.:</u>	CO 02-267-W
<u>Order Date:</u>	December 17, 2002
<u>Responsible Party:</u>	<b>Town of Williston</b>
<u>Facility:</u>	Rosemary Creek WWTF
<u>Location/Mailing Address:</u>	PO Box 414 Williston, SC 29853
<u>County:</u>	Barnwell
<u>Previous Order(s):</u>	96-063-W (\$3,500 penalty)
<u>Permit/System Number:</u>	ND0063061
<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110 (d)

Summary: The Town of Williston (Respondent) owns and is responsible for the proper operation and maintenance of its Rosemary Creek wastewater treatment facility (WWTF). A review of the Respondent's file revealed that the Respondent failed to comply with the permitted discharge limits for fecal coliform and biochemical oxygen demand (BOD).

Action: The Respondent has agreed to: (1) within sixty (60) days of the executed Order date, submit a diagnostic evaluation/corrective action plan conducted by a State registered professional engineer and a State certified wastewater treatment operator of the appropriate grade evaluating whether the WWTF can comply with the Permit limits as constructed; (2) within sixty (60) days of completion of the diagnostic evaluation/corrective action plan, submit a preliminary engineering report for upgrade of the WWTF, if the diagnostic evaluation/corrective action plan reveals the WWTF cannot comply with the Permit limits, (3) within sixty

2)	<u>Order Type and No.:</u>	AO-02-268-W
	<u>Order Date:</u>	December 19, 2002
	<u>Responsible Party:</u>	<b>Piney Grove Utilities, Inc.</b>
	<u>Facility:</u>	Lloydwood Subdivision WWTF
	<u>Location/Mailing Address:</u>	2 Fifth Avenue Charleston, SC 29403
	<u>County:</u>	Lexington
	<u>Previous Order(s):</u>	CA 00-071-W (Franklin Park) (\$0 penalty)
	<u>Permit/System Number:</u>	SC0031402
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d) 24 S.C. Code Ann. Regs. 61-9.122.41 (a)(1); 24 S.C. Code Ann. Regs. 61-9.122.41 (e)

**Action:** The Respondent has been ordered to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit to the Public Service Commission (PSC) for approval a contract for sewer service with the regional sewer provider; (3) within sixty (60) days of the executed Order date submit plans and specifications for a permit to construct; (4) if the contract is approved by PSC, meet all requirements outlined in the Order; (5) if the contract is not approved by PSC, meet all alternative requirements outlined in the Order; and, (6) within thirty (30) days of the executed Order date, pay a civil penalty of thirty-seven thousand twenty-four dollars **(\$37,024.00)**

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<u>County:</u>	Horry
<u>Previous Orders:</u>	CO 02-118-W (\$4,200 penalty)
<u>Permit/System Number:</u>	SCG730363
<u>Violations Cited:</u>	S.C. Code Ann. 48-1-110(d) (Supp. 2001); 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2001)

Summary: Southern Asphalt Company (Respondent) is responsible for the proper operation of the Holms Farms Pit located in Horry County. The Respondent failed to comply with its NPDES General Permit by discharging sand into a wetlands and not submitting discharge monitoring reports (DMRs).

Action: The Respondent has agreed to (1) begin and continue to comply with all permitting requirements in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the execution date of the Order, submit a Corrective Action Plan (CAP); (3) within thirty (30) days of the execution date of the Order, submit a report of best management practices (BMPs) that will be implemented to prevent future violations, and, (4) pay a civil penalty of nine thousand eight hundred forty dollars (**\$9,840.00**). Penalty payments shall be quarterly payments of two thousand four hundred sixty dollars (\$2,460.00) with the first payment due by January 15, 2003.

4) <u>Order Type and No.:</u>	CO 03-007-W
<u>Order Date:</u>	January 15, 2003
<u>Responsible Party:</u>	<b>Chevron U.S.A., Inc.</b>
<u>Facility:</u>	BP/Transmontaigne Property
<u>Location/Mailing Address:</u>	Chevron 2300 Windy Ridge Parkway, Suite 800 Atlanta, GA 30359-5673
<u>County:</u>	Anderson
<u>Previous Orders:</u>	None
<u>Permit/System Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. 48-1-90(a) (Supp. 2001), 25 S.C. Code Ann. Regs. 61-68 H.9 (Supp. 2001),

Summary: Chevron U.S.A., Inc. (Respondent) previously owned and operated an aboveground storage tank (AST) bulk terminal (Site) located on Highway 20 in Anderson County, South Carolina. The Respondent sold the Site in 1985 to the current owner (BP/Transmontaigne). In 1985, the Respondent reported to the Department a release of 15,000 gallons of jet fuel "A" and a release of an unknown quantity of unleaded gasoline at the Site. In 1985, the Respondent installed a remediation system at the Site to address the 2 releases. In January 1996, the Respondent shut down the remediation system to conduct an overall system evaluation and to review alternative remedial methods. Several requests by the Department since 1996 have been unsuccessful in getting the Respondent to continue with the remediation at the Site.



Action: The Respondent has agreed to (1) implement free product recovery in all MWs that contain free product; (2) continue free product recovery until the Department determines that recovery is no longer effective; (3) submit a Site Assessment Plan to complete horizontal and vertical delineation to include specified areas at the Site; (4) submit a Site Assessment Report; (5) determine free product end points; (6) submit a Corrective Action Plan (CAP) for areas of concern at the Site; (7) develop, implement and submit a monitoring program for future monitoring to evaluate the effectiveness of the remediation system and verify CAP completion; and, (8) submit semi-annual groundwater monitoring reports.

5)     Order Type and No.:                             CO 03-011-W  
          Order Date:                                 January 29, 2003  
          Responsible Party:                       **Town of St. Matthews**  
          Facility:                                    South WWTF  
          Location/Mailing Address:             PO Box 172  
  St. Matthews, SC 29135  
          County:                                     Calhoun  
          Previous Order(s):                        98-067-W (\$4,000 penalty)  
  00-222-W (\$6,800 penalty)  
          Permit/System Number:                 SC0028801  
          Violation(s) Cited:                     S.C. Code Ann. § 48-1-110 (d)  
  24 S.C. Code Ann. Regs. 61-9.122.41 (e)

Summary: The Town of St. Matthews (Respondent) owns and is responsible for the proper operation and maintenance of its South WWTF. A review of the Respondent's file revealed that the Respondent failed to properly operate and maintain all its waste treatment systems.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with the NPDES Permit and Department regulations and guidelines; (2) within thirty (30) days of the executed Order date, submit verification that the Preventive Maintenance and Operations and Maintenance Manuals have been updated; (3) report all wastewater spills; (4) within sixty (60) days of the executed Order date, begin development of a capacity, Management, Operation and Maintenance (cMOM) audit; (5) within two hundred forty (240) days of the executed Order date, the management plan shall be finalized and implemented; (6) within one hundred eighty (180) days of the executed Order date, submit a CAP and a schedule to address priority deficiencies in the wastewater collection system (WWCS); (7) within one hundred eighty (180) days of the executed Order date and every six (6) months until this Order is closed, submit to the Department a summary report of corrective actions taken addressing the deficiencies in the WWCS; and, (8) within thirty (30) days of the executed Order date, pay a civil penalty of six thousand eight hundred dollars **(\$6,800.00)**.



organic compound (VOC) and hazardous air pollutant (HAP) emissions, calculate the 12-month rolling sum of VOC and HAP emissions, implement a program for routine inspection and maintenance of all air pollution control equipment, and maintain a log of daily filter checks for the paint booths. The emission reports must be submitted monthly to the Department within 30 days after the monitoring period. On October 10, 2001, a Department inspector observed that Newman Technology failed to implement a program for the routine inspection and maintenance of its air pollution control equipment and failed to maintain a log of daily filter checks for the paint booths. The inspector also observed that Newman Technology installed a sandblasting operation with air pollution control devices without obtaining proper permits from the Department. Department records indicate that Newman Technology submitted its monthly VOC/HAP emission report for January 2002 on April 28, 2002, and its VOC/HAP report for March 2002 on May 16, 2002. The sandblasting operation and associated control devices have been removed from the facility. On October 6, 2002, Newman Technology submitted written documentation to the Department for new air pollution control equipment inspection and maintenance procedures and the log for daily filter checks.

Action: On May 24, 2002, the Department issued Newman Technology a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 6, 2002. A Consent Order was negotiated in which Newman Technology agreed to submit its VOC/HAP reports in accordance with the schedule and conditions established by its permit and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty has been paid.

2) <u>Order Type and No.:</u>	Consent Order 03-002-A
<u>Order Date:</u>	January 2, 2003
<u>Responsible Party:</u>	<b>U.S. Department of Veterans Affairs</b>
<u>Location/Mailing Address:</u>	109 Bee Street Charleston, South Carolina 29401-5799
<u>County:</u>	Charleston
<u>Previous Order(s):</u>	01-094-A, 99-069-A,
<u>Permit No.:</u>	0560-0047
<u>Violation(s) Cited:</u>	South Carolina Code Ann. § 48-110(d), South Carolina Air Pollution Control; Regulation 61-62.70, <u>Title V Operating Permit Program</u> , and Consent Order 01-094-A.

Summary: The U.S. Department of Veterans Affairs operates a health care facility known as the Ralph H. Johnson Medical Center, located in Charleston, South Carolina. The Department of Veterans Affairs failed to submit a timely Title V Annual Compliance Certification and reports relating to its incinerator. A review of Department records indicated that the late certification failed to

accurately address all instances of noncompliance. On November 29, 2001, the Department of Veterans Affairs entered into Consent Order 01-094-A for failure to submit its Title V Annual Compliance Certification.

Action: On September 9, 2002, the Department issued the Department of Veterans Affairs a Notice of Violation and a Notice of Enforcement Conference. The Department of Veterans Affairs elected not to attend the scheduled enforcement conference. A Consent Order was negotiated in which the Department of Veterans Affairs agreed to submit future reports in accordance with the terms and conditions established by its permit and pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**). The penalty is due February 1, 2003.

3) <u>Order Type and No.:</u>	Consent Order 03-003-A
<u>Order Date:</u>	January 27, 2003
<u>Responsible Party:</u>	<b>Doane Pet Care</b>
<u>Location/Mailing Address:</u>	451 Prosperity Drive Orangeburg, South Carolina 29115
<u>County:</u>	Orangeburg
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	CM-1860-0090
<u>Violation(s) Cited:</u>	U.S. EPA 40 CFR 60.47(c), and S.C. Code Ann. §48-1-110(d)

Summary: Doane Pet Care is a pet food manufacturer located in Orangeburg, South Carolina. The Department issued Operating Permit 1860-0090 to Doane Pet Care, effective May 5, 1995. The operating permit required Doane Pet Care to install and maintain monitoring equipment for six particulate control devices and to record fuel consumption for its boiler. On January 17, 2001, a Department inspector observed that Doane Pet Care had failed to install the monitoring devices and fuel records were not being maintained. The Department issued Conditional Major Operating Permit CM-1860-0090 to Doane Pet Care, effective September 1, 2001. The conditional major operating permit required Doane Pet Care to record monitoring data for baghouses, conduct visual inspections, and record boiler-fuel usage. On November 6, 2001, a Department inspector observed that Doane Pet Care had failed to record its monitoring data, conduct visual inspections, and record fuel usage data. On June 14, 2002, Doane Pet Care submitted written documentation to the Department that the monitoring data and fuel usage data were being maintained and the visual inspections were being conducted.

Action: On May 17, 2002, the Department issued Doane Pet Care a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 6, 2002. A Consent Order was negotiated in which Doane Pet Care agreed to compile and submit required reports to the Department

and to pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty has been paid.

- 4)     Order Type and No.:                     Consent Order 03-004-A  
          Order Date:                         January 16, 2003  
          Responsible Party:               **Weyerhaeuser Company**  
          Location/Mailing Address:       582 Willamette Road  
  Bennettsville, South Carolina 29512  
  Highway 9 East  
  Chester, South Carolina 29706  
          County:                             Marlboro and Chester  
          Previous Order(s):               None  
          Permit No.:                       1680-0050 (Bennettsville), TV-  
  0640-0013 (Chester)  
          Violation(s) Cited:               South Carolina Air Pollution Control  
  Regulation 61-62.1, Permit Requirements and S.C. Code Ann.  
  §48-1-110(d)

Summary:     Weyerhaeuser Company (“Weyerhaeuser”) owns and operates a particleboard manufacturing facility located in Bennettsville, South Carolina (“Weyerhaeuser-Bennettsville”) and a plywood manufacturing facility located in Chester, South Carolina (“Weyerhaeuser-Chester”). Weyerhaeuser-Bennettsville operates pursuant to several construction and operating permits. On March 20, 2001, the Department conducted an inspection at Weyerhaeuser-Bennettsville and determined that it failed to obtain construction permits prior to installing a thermal oxidizer and a bag- house. Department records indicate that Weyerhaeuser also failed to operate the thermal oxidizer at the permitted minimum operating temperature of 1500 degrees Fahrenheit for sixty-four minutes on May 4, 2002. The Department issued Part 70 (“Title V”) Air Quality Operating Permit TV-0640-0013 to Weyerhaeuser-Chester, effective November 2, 2000. Weyerhaeuser-Chester failed to install and maintain a water flow meter on its venturi scrubber as required by its Title V permit. Weyerhaeuser-Chester subsequently installed the flow meter on December 30, 2001.

Action:       On October 14, 2002, the Department issued Weyerhaeuser-Bennettsville a Notice of Violation and a Notice of Enforcement Conference. The violations cited at Weyerhaeuser-Bennettsville and Weyerhaeuser-Chester were discussed at an enforcement conference held on October 30, 2002. A Consent Order was negotiated in which Weyerhaeuser agreed to: ensure that Weyerhaeuser obtains all necessary construction permits prior to installing any device for the control of air contaminant discharges; ensure that Weyerhaeuser-Bennettsville operates its thermal oxidizer at the minimum combustion temperature established in its Title V permit; and pay a civil penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**) for the violations at both facilities. The penalty has been paid.

- 5)      Order Type and No.:                      Consent Order 03-005-A  
         Order Date:                                January 16, 2003  
         Responsible Party:                      **Crown Cork & Seal Company**  
         Location/Mailing Address:              100 Evans Row  
            Cheraw, South Carolina 29520  
         County:                                      Chesterfield  
         Previous Order(s):                        None  
         Permit No.:                                0660-0016  
         Violation(s) Cited:                      S.C. Code Ann. §48-1-90(a)

Summary:      Crown Cork & Seal Company (“Crown”), located in Cheraw, South Carolina, manufactures twelve-ounce aluminum beverage cans. The Department issued Part 70 (“Title V”) Air Quality Operating Permit TV-0660-0016 to Crown, effective December 17, 1999. On December 18, 2001, Crown conducted a Department-approved source test on two of its regenerative incinerators. The results of the source test indicated that the volatile organic compound (“VOC”) destruction removal efficiency (“DRE”) was 89.18% and the VOC capture efficiency was 46.97%, which is a violation of Crown’s permitted minimum DRE of 90% and permitted minimum capture efficiency of 70%.

Action:              On September 30, 2002, the Department issued Crown a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 15, 2002. A Consent Order was negotiated in which Crown agreed to ensure that it maintains the minimum DRE and capture efficiency required by its Title V permit, submit to the Department a construction permit application to increase the capture efficiency of the incinerators, and pay a civil penalty in the amount of six thousand five hundred dollars (**\$6,500.00**). The penalty has been paid.

- 6)      Order Type and No.:                      Consent Order 03-006-A  
         Order Date:                                January 16, 2003  
         Responsible Party:                      **Gateway Manufacturing**  
         Location/Mailing Address:              5909 Old Buncombe Road  
            Greenville, South Carolina 29609  
         County:                                      Greenville County  
         Permit No.:                                1200-0317  
         Previous Order(s):                        01-017-A (\$5,000)  
         Violation(s) Cited:                      R. 61-62.70, Consent Order 01-017-A, 48-1-110(d)

Summary:      Gateway Manufacturing makes engine hoists and other shop equipment. On March 21, 2001, the Department issued Consent Order 01-017-A to Gateway Manufacturing for permitting and record keeping violations. The Order required Gateway Manufacturing to submit an application for a Title V or

Conditional Major Operating Permit within twelve months after startup of operations that made them subject to Title V regulation. A construction permit, issued in October 2000, requires the facility to submit quarterly reports of VOC and HAP consumption and emissions. A review of Department records indicated a Title V or Conditional Major Operating Permit application was not submitted. VOC and HAP consumption and emissions reports were submitted on an annual basis for the 2000 and 2001 calendar years instead of quarterly as required by the construction permit. The reports were also incomplete.

Action: On May 15, 2002, the Department issued Gateway Manufacturing a Notice of Violation and Notice of Enforcement Conference, and an enforcement conference was held on June 10, 2002. A Consent Order was negotiated in which Gateway Manufacturing agreed to submit accurate and timely quarterly reports, to apply for and obtain all permits as required by South Carolina Air Pollution Control Regulations, to submit a technically and administratively complete application for a Title V or Conditional Major Operating Permit within thirty days of the execution date of the Order, and pay a civil penalty in the amount of eleven thousand dollars (**\$11,000.00**). The penalty is due February 14, 2003.

7) <u>Order Type and No.:</u>	Consent Order 03-007-A
<u>Order Date:</u>	January 27, 2003
<u>Responsible Party:</u>	<b>Galey &amp; Lord Industries, Inc.</b>
<u>Location/Mailing Address:</u>	Highway 52 North Society Hill, South Carolina 29593
<u>County:</u>	Darlington
<u>Previous Order(s):</u>	97-056-A (\$6,900.00)
<u>Permit No.:</u>	0820-0010
<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> , Section IV, <u>Source Tests</u> , S.C. Code Ann. §48-1-90(a), and Consent Order 97 056-A

Summary: Galey & Lord Industries, Inc. ("Galey & Lord"), located in Society Hill, South Carolina, is a textile dyeing and finishing facility. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-0820-0010 to Galey & Lord, effective January 25, 2000. Department records indicate that Galey & Lord failed to obtain a construction permit or exemption from the Department prior to altering its naphthalene emissions; exceeded the established emissions limit for particulate matter ("PM") of 0.6 lbs/mmBTU during an April 26, 2001, source test of boiler #1; failed to submit its April 26, 2001, source test results to the Department within 30 days of the test date; and failed to comply with Consent Order 97-056-A in that it exceeded the established PM limit during the April 26, 2001, source test. The results of a September 26, 2001, retest of boiler #1 indicated that PM emissions were 0.424 lbs/mmBTU.

Action: On July 10, 2002, the Department issued Galey & Lord a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on July 24, 2002. A Consent Order was negotiated in which Galey & Lord agreed to: ensure that it obtains necessary permits or exemptions prior to altering a source of air contaminants; comply with all PM emission limits established in its Title V permit; and pay a civil penalty in the amount of ten thousand dollars **(\$10,000.00)**. The penalty is due February 27, 2003.

8) <u>Order Type and No.:</u>	Consent Order 03-009-A
<u>Order Date:</u>	January 20, 2003
<u>Responsible Party:</u>	<b>Aguayo Landscaping</b>
<u>Location/Mailing Address:</u>	2390 Bohicket Road Johns Island, South Carolina 29455
<u>County:</u>	Charleston
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	None
<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <u>Prohibition of Open Burning.</u>

Summary: Aguayo Landscaping, located in Johns Island, South Carolina, is a landscaping contractor. The Department conducted an investigation on April 3, 2002, and determined that Aguayo Landscaping had illegally burned landscaping debris and trade waste in contravention of Department regulations.

Action: On August 1, 2002, the Department issued Aguayo Landscaping a Notice of Violation and a Notice of Enforcement Conference. Aguayo Landscaping failed to attend the scheduled enforcement conference. A Consent Order was negotiated in which Aguayo Landscaping agreed to comply with Department Open Burning Regulations and pay a civil penalty in the amount of two thousand dollars **(\$2,000.00)**. The penalty is due February 27, 2003.